



Response under 37 C.F.R. § 1.116
Expedited Procedure
Examining Group 2653
PATENT

ATTORNEY DOCKET NO.: 041514-5130

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Masakazu OGASAWARA et al.

Application No.: 09/891,471

Filed: June 27, 2001

For: PICKUP DEVICE FOR RECORDING OR
REPRODUCING INFORMATION TO
AND FROM A MULTI-LAYERED
RECORDING MEDIUM HAVING A
PHOTODETECTOR WITH A
NORMALIZED DETECTOR SIZE
(AS AMENDED)

BOX AF

Group Art Unit: 2653

Examiner: A. Psitos

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Commissioner for Patents
Washington, D.C. 20231

Sir:

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment under 37 C.F.R. §1.116 in response to the Final Office Action dated December 5, 2002 (Paper No. 8).

2. Additional papers enclosed:

- ☒ Exhibit A: Pages 6-7 of Standard ECMA-267 "120 mm DVD-Read-Only Disk"
(<http://www.ecma-international.org/publications/files/ecma-st/Ecma-267.pdf>)
- ☐ Information Disclosure Statement
- ☐ Form PTO-1449, _____ references included
- ☐ Citations
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing", computer readable copy and/or amendment
pertaining thereto for biotechnology invention containing nucleotide and/or amino
acid sequence.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☐ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.
- ☒ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

| <u>Total Months Requested</u> | <u>Fee for Extension</u> | <u>[Fee for Small Entity]</u> |
|---|--------------------------|-------------------------------|
| <input checked="" type="checkbox"/> one month | \$ 110.00 | \$ 55.00 |
| <input type="checkbox"/> two months | \$ 400.00 | \$ 200.00 |
| <input type="checkbox"/> three months | \$ 920.00 | \$ 460.00 |
| <input type="checkbox"/> four months | \$ 1,440.00 | \$ 720.00 |

Extension of time fee due with this request: \$110.00.

If an additional extension of time is required, please consider this a Petition therefor.

- ☐ An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

| CLAIMS AS AMENDED | | | | | | |
|---|---|-------|--------------------------------|------------------|--------------|------------|
| | Claims Remaining After Amendment | | Highest No. Previously Paid | Present Extra | at Rate of | Total Fees |
| Total Claims (37 C.F.R. §1.16(c)) | 2 | minus | 20 | 0 | x \$18 each= | + \$0.00 |
| Independent Claims (37 C.F.R. §1.16(b)) | 1 | minus | 3 | 0 | x \$84 each= | + \$0.00 |
| [] First presentation of Multiple dependent claim(s) | | | | | \$280.00 | + \$0.00 |
| SUB-TOTAL = | | | | | | \$0.00 |
| Reduction by ½ for filing by a small entity | | | | | | - \$0.00 |
| TOTAL FEE = | | | | | | \$0.00 |

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6. Fee Payment

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- ☐ No fee is to be paid at this time.
- ☒ Please charge Deposit Account No. 50-0310 the amount of \$110.00 for the 1-month extension of time fee.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

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Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: April 4, 2003

By: Victoria D. Hao

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